

REMARKS/ARGUMENTS

Claims 16-18, 20, 24, 32, 33, 37-40, 45-47, 49-53, 62, 67, 68, 76, 77, 81, 82, and 87-107 are pending. By this Amendment, claims 16, 46 and 50 are amended, claims 26 and 54 are canceled, and claims 89-107 are added. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

In the Office Action, it is indicated that claims 26, 46, 47 and 54 would be allowable if rewritten into independent form. By this Amendment, the subject matter of claims 26 and 54, respectively, have been incorporated into independent claims 16 and 50. Therefore, independent claims 16 and 50 and their dependent claims are allowable.

In addition, new claims 89-107 are presented for the Examiner's consideration. Independent claim 89 is directed to a rock boring device comprising a disc cutter arranged for nutation and rock cutting oscillation about an oscillation axis, an inertial reaction mass and a boom structure to pivot about a first boom axis to allow global pivoting of the combined boom and disc cutter. Accordingly, it appears that claim 89 would be classified with the elected invention of Group I from the May 4, 2005 Office Action (Restriction Requirement) – "Group I is directed to a rock boring device having boom structure and oscillating and nutating disc cutter."

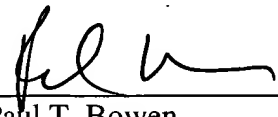
PEACH et al.
Appl. No. 09/889,745
May 31, 2006

In view of the above amendments and remarks, Applicants respectfully submit that the entire application is in condition for allowance. Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, he is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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